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# FACSIMILE TRANSMISSION

**DATE:** July 24, 2003

**TO:**

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| Examiner Robert R. Raevis<br>U.S. Patent and Trademark Office | 703-308-7724<br>5 | |

**FROM:** Craig J. Loest **PHONE:** (414) 347-4168

**SENT BY:** Maryann Wieczorek **EXTENSION:** 5473 **LOCATION:** 30NW

**RE:** Response to Office Action

| NUMBER OF PAGES, INCLUDING COVER: | 9 | | |
|---|---|---|---|
| CLIENT MATTER NUMBER: | 013252-9003 | SENDER'S ACCOUNT NUMBER: | 995 |

**NOTES/COMMENTS:**

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( ) Specification (incl. C ims if any) 2000 Pgs.
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( ) Information Disclosu e Statement
( ) Patent Copies
( ) Declaration & Power f Attorney
( ) Declaration Claiming Small Entity Status
( ) Assignment and Cov r Sheet
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( ) Response to Missing Parts Notice
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( ) Request for Ext. of T ne for filing (_____)
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(X) Other (Specify) Declaration as to Loss of Letters Patent

Inventor: Mane[illegible]tar

Title: Apparatus for Inspecting Lateral [illegible] Lined Pipes

(X) Serial/Patent No. 09/783,447

Due Date: _____ Mail Date: 6/9/03

File No.: 13252-90[illegible]3 Attorney: DST/CJL

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( ) Transmittal Letter, Be[illegible] & Friedrich LLP
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PATENT & TRADEMARK OFFICE
OIPE JC4B

(X) Other (Specify) Declaration as to Loss of Letters Patent

Inventor: Manes

Title: Apparatus for Suspending Lower Lateral

(X) Serial/Patent No. 09/883,447

Due Date: _____ Mail Date: 6/9/03

File No.: 13252-900 Attorney: DSJ/CG

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 2856

In re

Patent Application of

Edward Manestar

Application No. 09/783,447

Confirmation No. 8910

Filed: February 14, 2001

Examiner: Robert R. Raevis

"APPARATUS FOR INSPECTING LATERAL SEWER PIPES"

I, Kelly R. Warshany, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Signature

6-9-2003
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On May 9, 2003, the Applicant filed an Amendment that responded to the Office action dated February 11, 2003. The Amendment placed all pending claims in condition for allowance, and requested an *Ex parte Quayle* action to permit Applicant to attend to the formality of surrendering the original letters patent and providing the Consent of Assignee Certificate.

The Applicant has now completed these formalities, so an *Ex parte Quayle* action is no longer necessary. However, the Applicant was unable to locate the original patent. The Applicant has enclosed a Consent of Assignee Certificate Under 37 CFR 3.73 signed by an officer of the company aurthorized to act on behalf of the assignee. The Applicant offers to surrender the original patent and has enclosed a declaration that the original patent is lost or

inaccessible. Therefore, all pending claims are now allowable, and all formalities have been completed to make the entire application allowable. The undersigned attorney is available for telephone consultation at any time.

Respectfully submitted,



Craig J. Loest
Reg. No. 48,557

Docket No. 013252-9003-01
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
(414) 271-6560

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 2856

I, Kelly R. Warshawsky, hereby certify that this correspondence is being deposited with the U.S Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Kelly R. Warshawsky
Signature

6-9-2003
Date of Signature

In re

Patent Application of

Edward Manestar

Application No. 09/783,447

Confirmation No. 8910

Filed: February 14, 2001

Examiner: Robert R. Raevis

"APPARATUS FOR INSPECTING LATERAL SEWER PIPES"

**DECLARATION AS TO LOSS OF LETTERS PATENT (37 CFR 1.178)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Michael McGrew, hereby declare that U.S. Patent Number 5,992,247 granted to Edward Manestar on November 30, 1999, has been either lost or destroyed, that I have made a diligent search for said Patent in all places where the same would probably be found, if existing, and that I have not been able to find it.

I hereby declare that all statements made herein of my own knowledge are true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6-5-2003

Michael McGrew
Vice-President, Research and Development
Aries Industries/C C.V.

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# CONSENT OF ASSIGNEE

## CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: Edward Manestar

Application No.: 09/064,920

Filed: April 23, 1998

Entitled: APPARATUS FOR INSPECTING LATERAL SEWER PIPE

Aries Industries, Inc., a Wisconsin Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

[X] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9129, Frame 0361, or for which a copy thereof is attached.

Aries Industries, Inc., assignee of U.S. Patent No. 5,992,247, consents to the filing of the present application for the reissue of U.S. Patent No. 5,992,247.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

Pursuant to 37 CFR §3.73(b) and MPEP §324, the undersigned hereby avers that the undersigned is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

4-28-03
Date

Signature

Michael McGrew
Typed or printed name
V.P. Research and Development
Aries Industries/C.C.V.

T:\CLIENTA\013252\9003\A0530906.1